

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

**Case No. 95-CR-194
99-CV-775
(14-C-163)
(14-C-164)**

O'NEAL WOODS,

Movant.

DECISION AND ORDER

On December 26, 2013, O'Neal Woods filed a motion for reconsideration under Federal Rule of Civil Procedure 59(e). This motion was docketed in Case No. 95-CR-194. On January 29, 2014, Woods filed a motion for relief from judgment, citing Federal Rule of Civil Procedure 60(b)(4) and (6). This motion was docketed in Case No. 99-CV-775. Both of these motions are unauthorized, successive collateral attacks on his sentence. 28 U.S.C. §2255(h). “Prisoners cannot avoid the AEDPA’s rules by inventive captioning. Any motion filed in the district court that imposed the sentence, and substantively within the scope of [§ 2255(a)], *is* a motion under § 2255, no matter what title the prisoner plasters on the cover.” *Melton v. United States*, 359 F.3d 855, 857 (7th Cir. 2004) (emphasis in original).

Accordingly, the Court lacks jurisdiction to consider Woods’ motions. The Clerk of Court is **DIRECTED** to open separate civil § 2255 actions with Woods’ motions [ECF No. 306 in Case No. 95-CR-194 and ECF No. 2 in Case No. 99-

CV0775], which are **DISMISSED** for lack of jurisdiction. The Court will not issue certificates of appealability with respect to these actions. Rule 11(a), Rules Governing Section 2255 Proceedings.

Dated at Milwaukee, Wisconsin, this 14th day of February, 2014.

BY THE COURT:



HON. RUDOLPH T. RANDA
U.S. District Judge